



23/10/07

22

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.A. (C) No.290/2007

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Appellants
Claimants

Sunil Kumar, S/o Shri Rajkumar, aged about 27, Caste Chandel, R/o Village Pendra, P.S. Pendra, Tahsil Pendra Road, Distt-Bilaspur.

Versus

Respondents

1. Dilip Kumar S/o SA aged about 23 years, Caste Gond R/o Village Rani Gaon P.S. Ratanpur Distt-Bilaspur (CG) (Driver)a
2. Shashank Gadkari S/o K.B. Gadkari aged 38 years R/o Archana Vihar Colony Nehru Nagar Quarter no. AF-8, Thana Civil Lines Distt-Bilaspur (Owner)
3. United India Insurance Company Limited Raipur, Distt-Raipur (CG) (Insurer)

Appeal under Section 173 of the Motor Vehicles Act, 1988 for enhancement of the award.

Present:-

Shri A.V. Shridhar, counsel for the appellants.

ORAL ORDER

(Passed on 23rd October, 2007)

Heard on M.C.P. No.404/2007 for condonation of delay in filing this memo of appeal.

(2) For the reasons mentioned in the application, it is allowed and the delay is condoned.

(3) Heard on admission.

(4) The appellant is aggrieved by an award dated 23.11.2006 passed by the Additional Motor Accident Claims Tribunal, Pendra Road, Distt. Bilaspur (CG) (hereinafter referred to as the the M.A.C.T.) in claims case No.05/2006



23

whereunder in a case of fracture of Tibia and Fibula bone of the the right leg,
~~the~~ compensation of Rs.73,870/- was awarded.

(5) Learned counsel for the appellant did not dispute that the claimant did not suffer any permanent disability. It was also not disputed that no medical evidence was adduced by the claimant. No ground for interference in the impugned award is shown.

(6) In the result, the appeal being devoid of any merit is dismissed at the stage of admission.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Priya